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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

JANET GARCIA, GLADYS ZEPEDA,
MIRIAM ZAMORA, ALI EL-BEY,
PETER DIOCSON JR, MARQUIS
ASHLEY, JAMES HAUGABROOK,
individuals, KTown FOR ALL, an
unincorporated association;
ASSOCIATION FOR RESPONSIBLE
AND EQUITABLE PUBLIC
SPENDING, an unincorporated
association

Plaintiff(s),

vs.
CITY OF LOS ANGELES, a municipal
entity; DOES 1-7,
Defendant(s).

CASE NO. 2:19-cv-06182-DSF-PLA

**DECLARATION OF MARQUIS
ASHLEY**

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DECLARATION OF MARQUIS ASHLEY

1. My name is Marquis Ashley. I have personal knowledge of the facts contained in his declaration, and if called to testify, I could and would testify competently as to the truth of the facts in this declaration.

2. I am 29 years old and have lived in and around Harbor City for most of my life. I am currently homeless and have been homeless for years. I am creative and like to work with my hands. I used to go to welding school and hope to find a job and permanent housing.

3. During my spare time, I find discarded items and repurpose them into useful items to use on the street. For example, I had made carts to move my belongings. I constructed one cart out of the axle of a three-wheel bicycle and wheelchair wheels. A photo of that cart is attached as the first photo of Exhibit A.

4. I travel everywhere on my bicycle. The areas I have had to stay are far away from grocery stores, restaurants, and other places we need to go to survive. For example, the Lomita and McCoy encampment is in an industrial area. There are barely any shops, and it is hard to get to places I need to go on foot, so I rely on my bike. Last year, I stayed at the Lomita and McCoy encampment, but I recently have started pitching my tent on different streets. I use my bike to travel to Lomita and McCoy, where I still have a support system, friends, and people in the community who are helping me get back on my feet. I go there three to five times per week with my bicycle and cart.

5. I try to always have a cart for my bike, because it makes it possible for me to pick up groceries and supplies I need to survive. Without a cart, it is really hard to carry supplies to my encampment.

6. Carts are also really helpful during cleanups, because it makes it easier for us to move our belongings out of the cleanup area. Without the

1 carts, it is hard to pack up in the short amount of time they give us to move.
2 And for some of my neighbors, they have disabilities, so carts are really
3 important for them. I have used my carts to help my neighbors and friends
4 move their belongings during a cleanup.

5 7. LA Sanitation workers from the City of Los Angeles will not let
6 us have shopping carts from grocery stores and they have told me multiple
7 times that it illegal to have a shopping cart form a store. So having my own
8 cart that I can use to transport things is really important to me.

9 8. On May 21, 2019, I was staying at a large encampment on
10 Lomita and McCoy in the Harbor City area of Los Angeles. That day, I was
11 at the encampment when LA Sanitation conducted a cleanup. Before the
12 cleanup, I did not see any signs indicating that they would conduct a
13 cleanup.

14 9. When LA Sanitation arrived, sanitation workers and LAPD
15 officers gave the residents of the encampment only a short window to pack
16 up our belongings and move. A sanitation worker gave me a trash bag for
17 my stuff, which I filled up with my tent and other items I need to survive. A
18 sanitation worker then instructed me to leave the area with my belongings.

19 10. I packed up what I could fit in the trash bag and piled it onto
20 my homemade cart. I also had another handmade cart in need of repairs,
21 which I piled on top of my belongings. A true and correct copy of the
22 photos of the carts and bedding is attached as Exhibit A. I did not take the
23 photos, which I know was given to us by the City of Los Angeles, but I can
24 attest that the photos are an accurate depiction of my carts on May 21, 2019.

25 11. As I was attempting to comply with LA Sanitation's
26 instructions to remove my belongings from the area, a sanitation worker
27 stopped me and told me that the carts and bedding were Bulky Items, and
28 therefore I could not take them with me out of the cleanup area. I knew that

1 he was a sanitation worker because he was wearing a sanitation uniform. I
2 was not given any explanation why the carts and bedding were considered
3 Bulky Items and was not given any opportunity to challenge the Bulky Item
4 determination.

5 12. I did not agree that my carts were “bulky,” and I relied on these
6 carts to move my belongings. One LAPD officer at the cleanup informed me
7 that if I did not want to go jail, I would have to hurry up and move from the
8 area. Because I did not want to go to jail, I felt like I could not argue with
9 the sanitation worker’s orders to surrender the carts and bedding. So I left
10 the carts and bedding behind. I was not given any documentation
11 whatsoever regarding my carts or bedding. They didn’t give me any
12 documents explaining why they were taken or even that they were taken at
13 all.

14 13. Without the carts to transport my belongings, I had to drag the
15 rest of my belongings outside of the area that had been cordoned off by
16 LAPD officers.

17 14. After LA Sanitation completed the cleanup and the LAPD
18 officers removed the yellow caution tape, I dragged my belongings back to
19 the area where the cleanup occurred, but my carts and bedding were
20 nowhere to be found. Everything that was left behind when we were told to
21 leave the area was gone.

22 15. I was really upset I had to leave my carts behind. I loved those
23 carts. They were really helpful and I was proud that I could fix them up and
24 make them useable.

25 16. Having the cart made it easier to live on the street, especially
26 because we have all been pushed to stay in industrial areas so far away from
27 resources and things we need to survive.

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1 17. Right now, I have a cart that I can attach to my bike again. I
2 use it to transport my belongings and my groceries. I have it when I go to
3 Lomita and McCoy to meet with people, to get phone chargers from
4 someone who helps out in the neighborhood, and to get food. Sanitation
5 comes to this location a lot, and any time I have my cart, I worry that
6 Sanitation will be there and will tell me my cart is a bulky item, and they
7 will take it and throw it away again. A true and correct copy of a photo of this
8 cart is attached as Exhibit B.

9 I declare under penalty of perjury that the foregoing is true and
10 correct. Executed on the February 24, 2020 in Los Angeles, California

Marquis Ashley

EXHIBIT A



CTY001478



CTY001465

EXHIBIT B

